

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
APRIL 10, 2014  
COUNCIL CHAMBERS  
6:30 p.m.**

**CALL TO ORDER:** Mayor Steven Burg called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

MAYOR	STEVEN BURG	PRESENT
1 <sup>ST</sup> DISTRICT	JOHN JAREMCHUK, JR.	ABSENT/EXCUSED
2 <sup>ND</sup> DISTRICT	PATRICIA FRANTZ	ABSENT/EXCUSED
3 <sup>RD</sup> DISTRICT	ROBERT KACPERSKI	PRESENT
4 <sup>TH</sup> DISTRICT	CHARLES MCKEWEN	PRESENT
5 <sup>TH</sup> DISTRICT	JOANN I. PERSONTI	PRESENT
6 <sup>TH</sup> DISTRICT	DEBORAH A. NORKAVAGE	PRESENT

Town Solicitor, Edward McNally – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

**PUBLIC COMMENT:**

Joe Carpina, 12 Vilone Place, stated that he loves the Dog Park, however, he has concerns regarding the maintenance of the park. His concerns are the mulch level on the large dog side of the park, the matting is showing and is causing a danger to the animals, the notice boards are never used but have been there for a year and the park is not always locked on unlocked on time. He stated that he also has an issue with a person who is taking dog feces and placing it on the trees and such throughout the park, he feels people are mistreating the park.

Robert Leisey, 216 Tamarack Avenue, stated that he is a member of Abundant Life Church on Linden Avenue and that they are trying to hold a free breakfast for needy families within the Town of Elsmere and he would like to reach out to the Council and Police Department to see if they could offer any families who could benefit from this event. He gave his contact information to Chief Laura Giles.

Fred Carlson, stated that he feels the Town needs to monitor the cleaning of the park better, if the people using the park do not do it, the Town should. He also stated that he is in favor of Ordinance 576 regarding the Additional Tax Credit for Senior and Disabled Citizens and that he thinks it will really help those who need it.

Mayor Burg stated that he understands what the issues in the Dog Park are and that the issues are not with the animals, they are with the owners of the animals. He stated that he has met the individuals who are causing the issues.

Town Manager John Giles stated that if anyone has an issue with someone causing problems at the park while they are there, they should contact the Police who can address the issue while it is happening. He addressed the issue regarding mulch by stating that is has been snowing since the first week of December, and that he is not going to put mulch down in the snow when it is going to be a waste of money and need to be replaced two months later. He stated that the snow has just stopped and that he is working on addressing the mulch issue, especially since the Town uses animal friendly mulch for the park, which is more expensive.

#### **APPROVAL OF MINUTES:**

##### Minutes of the March 13, 2014 Council Meeting

**ACTION:** A motion was made by Councilwoman Personti to approve the minutes of the March 13, 2014 Council Minutes with no corrections. The motion was seconded by Councilman McKewen.

**VOTE:**            5-0 with 2 Absent      All-in-favor            Motion carried

#### **OLD BUSINESS:**

##### Consideration for Third and Final Reading of Ordinance 576.

**ACTION:** A motion was made by Councilwoman Norkavage to consider Ordinance 576 for Third and Final Reading. The motion was seconded by Mayor Burg.

**VOTE:**            5-0 with 2 Absent      All-in-favor            Motion carried

##### Consideration for Third and Final Reading of Ordinance 577.

**ACTION:** A motion was made by Mayor Burg to consider Ordinance 577 for Third and Final Reading. The motion was seconded by Councilwoman Norkavage.

**VOTE:**            5-0 with 2 Absent      All-in-favor            Motion carried

#### **NEW BUSINESS:**

##### Consideration of re-appointing Chairman Neal D. Strauss, Mr. Steve Barone and Mrs. Elaine Negley to the Town of Elsmere Pension Committee.

**ACTION:** A motion was made by Councilwoman Personti to re-appoint Chairman Neal D. Strauss, Mr. Steve Barone and Mrs. Elaine Negley to the Elsmere Pension Committee. The motion was seconded by Councilwoman Norkavage.

**VOTE:**            5-0 with 2 Absent      All-in-favor            Motion carried

##### Consideration of re-appointing Mr. Ronald Russo and Ms. Steveni Keeley to the Town of Elsmere Finance Committee.

**ACTION:** A motion was made by Councilwoman Personti to re-appoint Mr. Ronald Russo and Ms. Steveni Keeley to the Town of Elsmere Finance Committee. The motion was seconded by Councilwoman Norkavage.

**VOTE:**            5-0 with 2 Absent      All-in-favor            Motion carried

Consideration of re-appointing Mr. Ron Russo and Mr. John Acton to the Town of Elsmere Board of Adjustment.

**ACTION:** A motion was made by Councilwoman Personti to re-appoint Mr. Ron Russo and Mr. John Acton to the Town of Elsmere Board of Adjustment. The motion was seconded by Councilwoman Norkavage.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Consideration of re-appointing Mrs. Claire Shelton and appointing Mrs. Ruthie Drummond-Parsons to the Town of Elsmere Board of Election.

**ACTION:** A motion was made by Councilwoman Personti to re-appoint Mrs. Claire Shelton and appoint Mrs. Ruthie Drummond-Parsons to the Town of Elsmere Board of Election. The motion was seconded by Councilwoman Norkavage.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Consideration of re-appointing Mr. Leon Backer, Ms. Erin Hurst and Mr. Andrew Favreau to the Town of Elsmere Planning Commission.

**ACTION:** A motion was made by Councilwoman Personti to re-appoint Mr. Leon Backer, Ms. Erin Hurst and Mr. Andrew Favreau to the Town of Elsmere Planning Commission. The motion was seconded by Councilwoman Norkavage.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Consideration of Resolution 14-02.

**ACTION:** A motion was made by Councilman Kacperski to approve Resolution 14-02. The motion was seconded by Councilwoman Norkavage.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Consideration of a request to re-number Ordinance 574 concerning Chapter 155 (Parks and Recreation) to Ordinance 578.

**ACTION:** A motion was made by Councilwoman Personti to re-number Ordinance 574 concerning Chapter 155 (Parks and Recreation) to Ordinance 578 to correct a numbering error. The motion was seconded by Councilwoman Norkavage.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Consideration for First and Second Reading of Ordinance 579.

**ACTION:** A motion was made by Councilwoman Personti to amend Ordinance 579 by changing the definition of an aquatic vessel from 12 inches to 24 inches. The motion was seconded by Mayor Burg.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

**ACTION:** A motion was made by Councilwoman Personti to consider Ordinance 579 Amended for first and second reading. The motion was seconded by Mayor Burg.

**VOTE:** 4-1 with 2 Absent Motion carried

1<sup>st</sup> District – Absent, 2<sup>nd</sup> District – Absent, 3<sup>rd</sup> District – No, 4<sup>th</sup> District – yes, 5<sup>th</sup> District – yes, 6<sup>th</sup> District – yes, Mayor – yes.

Consideration for First and Second Reading of Ordinance 580.

**ACTION:** A motion was made by Mayor Burg to consider Ordinance 580 for First and Second Reading. The motion was seconded by Councilwoman Norkavage.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Consideration of Resolution 14-03.

Town Manager John Giles explained the resolution and how it affects the businesses and residents in that area.

**ACTION:** A motion was made by Councilwoman Norkavage to approve Resolution 14-03. The motion was seconded by Mayor Burg.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Discussion concerning the condition of the rear steps at the Public Safety Department and the fact that no bids were received to perform the needed repairs.

Town Manager John Giles stated that he put out an RFP for the repair of the rear steps at the Public Safety Department and that he received multiple calls about the RFP but no bids were received by the deadline. After that occurred, he contacted Paoli Services to solicit a proposal and that he has received a proposal for \$7,500.00 to complete the repair. He further stated that the price is lower than \$10,000.00 which does not require Council's approval, however, he does not have money in his budget to pay for these repairs and Council must approve any expenses from Long Term Planning.

**ACTION:** A motion was made by Mayor Burg to authorize the use of \$7,500.00 from the Long Term Planning Capital Building Allocation fund. The motion was seconded by Councilwoman Personti.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

**DEPARTMENTAL REPORTS:**

Code Enforcement

Town Manager John Giles presented the written report.

Councilwoman Norkavage stated that there is a dilapidated pool on the Forman Property on Cleveland Avenue and asked if someone could take a look.

Finance

Town Manager John Giles presented the written report.

Councilman Kacperski asked if the Long Term Planning breakdown could be included in the monthly report from now on.

#### Public Safety

Chief Laura Giles presented the written report. She stated that New Castle County will be donating two in-car cameras for the vehicles. She stated that she will be taking a Course in criminal justice for several weeks on Wednesdays.

At this point there was a lengthy conversation about how Councilman Kacperski wants to install cameras in the parks and how the Chief does not feel that there is enough crime to warrant the installation of the cameras. There was also a discussion on how the cameras would be funded if installed.

Councilwoman Norkavage asked if the Town could consider offering a public session on Mental Health awareness or information on our website, etc.

Mr. McNally stated that he has plenty of information on this topic and that he will send the information over.

#### Public Works

Town Manager John Giles presented the written report. He stated that he intends to scrap the v-plow that is broken, since the repair cost is \$3,500.00 and the cost of a new one is around \$6,500.00.

Councilman Kacperski asked if Public Works would be collecting Scrap Metal the day before clean-up day.

Town Manager John Giles stated that he will be talking with the department as the event gets closer.

#### Town Manager

Town Manager John Giles presented the written report. He stated that he is applying for two grants from the homeland security money which was mentioned at the League of Local Governments meeting. One is to re-align the parking lot entrance and the other is to install additional cameras throughout the Town Hall complex. He stated that he intends to file for sheriff sale of 101 Linden Avenue which does not have delinquent taxes but does owe a significant amount of money in tax liens. He stated that he is going to putting out a street program bid very quickly and that he will be identifying the streets because he has to have the program advertised, opened, awarded, paved and submitted for reimbursement by June 30, 2014.

Administrative Assistant Diana Reed gave an overview on the website and how the site will undergo a facelift. This will require the Town to decrease the number of pages offered. The Town has a significant number of pages and we need to come up with a "Keep, Kill and Combine" list which outlines what we will do to reduce the size of the site. We will be meeting at 5:00pm on Tuesday, April 15, 2015 to discuss the site and Council is invited.

Administrative Assistant Diana Reed gave an overview of the events coming up. The Easter egg hunt, town wide yard sale, clean-up day and drug take back event. Mayor Burg asked if the update of the Comprehensive Plan could include the possibility of annexation so that the option is available.

At this time there was a lengthy discussion where Town Manager John Giles explained the Town's previous actions towards addressing annexation.

**ACTION:** A motion was made by Mayor Burg to have the Town Manager instruct the Planning Commission include the possibility of annexation in the comprehensive plan. The motion was seconded by Councilwoman Personti.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Town Manager John Giles stated that he would like permission from the Mayor and Council to use a portion of the \$50,000.00 infrastructure maintenance line from long term planning to address pot holes.

**ACTION:** A motion was made by Councilwoman Personti to allow Town Manager John Giles to expend funds from the Infrastructure Maintenance Line Item to address the significant pot hole issue throughout the Town. The motion was seconded by Mayor Burg.

**VOTE:** 5-0 with 2 Absent All-in-favor Motion carried

Councilwoman Personti asked how much of the street Artesian Water would be responsible to replace in the sections where they have crossed the streets.

Town Manager John Giles stated that he would meet with Artesian to discuss the appropriate repairs.

Town Manager John Giles advised the Mayor and Council that he may contact Richards Paving to complete the pot hole repairs that the Town's equipment cannot handle.

#### **ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:**

**District 1 – Absent**

**District 2 – Absent**

**District 3 – None**

**District 4 – None**

**District 5 – None**

**District 6 – None**

**Mayor – None**

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

**ACTION:** A motion was made by Councilwoman Norkavage to adjourn. The motion was seconded by Councilwoman Personti.

**VOTE:**            5-0 with 2 absent            All-in-Favor            Motion carried

These minutes summarize agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tapes may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

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**STEVEN E. BURG**  
**MAYOR**

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**JOANN I. PERSONTI**  
**SECRETARY**